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The Concept of Civil State in the Framework of Islamic Juridical Tradition:  
Introductory Remarks

*Il concetto di società civile nella cornice della tradizione giuridica islamica:  
osservazioni introduttive*

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# The Concept of Civil State in the Framework of Islamic Juridical Tradition: Introductory Remarks

Jasser Auda

## Abstract

*The concept of “civil state” can be a source of change and progress at political, social and economic levels in the Muslim world through a new perspective on Islamic jurisprudence based on the ‘Maqāsid Al-Sharī‘ah’, namely the aims, inner purpose and scope of Islamic law. A perspective based on the ‘Maqāsid will be helpful in overcoming the stagnation of Islamic jurisprudence and some of its time-bound prescriptions and characteristics. This will open the way to the formulations of new theories and perspectives, thus enabling to take the Muslim community to a better future, without renouncing its Islamic roots and identity. At the same time, the notions of Islamic roots and identity should be revised through an honest historical research which is focused not only on the dynamics of power structures, but on the social, economic and cultural achievements, as well setbacks, of the Muslim community.*

**Keywords:** Civil State, ‘Maqāsid al-Sharī‘ah’, Islamic History, Islamic Jurisprudence.

The word “state”<sup>1</sup> derives from the Latin “status”. The term “civitas”, instead, in the beginning, referred to people’s legal status, later it lost its original meaning and has been associated mainly with the legal system applied to society as a whole. At the beginning of the sixteenth century, however, the word “state” assumed a meaning closer to the modern one<sup>2</sup>.

The end of the Thirty Years War, in 1648, with the peace of Westphalia, is the turning point in the dominant model of the state. The international community built the Peace of Westphalia on the absolute authority of the nations involved, implying at the same time, the adoption of the principle of their equality at the international level, without considering their religious affiliation, both Catholic and Lutheran. In this way, the notion of “state”, intended in the medieval society for the administration of a hierarchical organization, has been replaced by the concept of nation, understood as a source of authority which, at the same time, relates with and subjected to the international law<sup>3</sup>.

The state, which needs a specific government for a real and effective application of the dominant authority, exercises its governance through the law. And the modern western state can be defined as a kind of traditional legal system, according to the definition proposed by Max Weber<sup>4</sup>. However, the distinctive feature of the modern state is the ideology considering it as an abstract idea separated

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<sup>1</sup>Jasser Auda, *Lezioni sullo Stato Civile, il Post-Islamismo and il Post-Secolarismo*, trans. Sabrina Lei (Rome: Tawasil International 2019).

<sup>2</sup>Niccolò Machiavelli, *Discorsi sopra la prima deca di Tito Livio* (Turin: UTET, 2006).

<sup>3</sup>Brian R. Nelson, *The Making of the Modern State*, (New York: Palgrave, 2006).

<sup>4</sup>Max Weber, “Politics as a vocation”, *Max Weber Essays in Sociology*, ed. Hans H. Gerth and Charles W. Mills (Oxford: Oxford University Press, 1972).

from the power and its exercise. According to Bodin <sup>5</sup>, the concept of sovereignty includes, first of all, the authority within the borders of national state and the monopoly in the administration of the law. The sovereignty, understood as the supreme authority in the country, cannot be bounded by anything except the natural law.

The western theories related to the concept of the state and its role can be further distinguished in the following three groups. The first is the theory of Capitalism, which is grounded in liberalism, according to which the state should be considered as a separate entity, both from the society and the economy. The second theory is the leftist one, historically derived from Marxism, according to which the state has got the function of controlling both economy and society for the public good. In both these perspectives, the economic relationships assume a central role, in the light of which, also all the social and political functions are interpreted. The third theory, instead, considers the society as a neutral reality representing simply the will of the group or party that wins the elections. However, in a society where the power is organised in a competitive way, as is the case of the pluralistic system<sup>6</sup>, the concept of the state as a neutral entity ends in promoting the interests of the majoritarian groups.

The Arab-Islamic countries, in the contemporary world, can be interpreted as a confused mixture of these three systems. At the same time, in the Arab world, the necessity of creating a “civil state” is both felt and discussed. The development of this project, despite the apparent incompatibility with the original concept, originated and developed within the western environment, with respect

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<sup>5</sup>Jean Bodin, *On Sovereignty*, ed. Julian H. Franklin, (Cambridge: Cambridge University Press, 1992).

<sup>6</sup>Robert Dahl R., *A Preface to Democratic Theory*, (Chicago: University of Chicago Press, 1956).

to the political history of Islamic countries, is, however necessary, especially in this very sensitive historical time.

In the Arabic language, the word “civil” is usually translated with the term “madanīyah”, which does not appear in the Quranic text and in the sphere of western political science, is usually employed in a limited number of cases and always with different nuances. Generally speaking, “civil means something not derived from what in the social politics, both in the East and in the West, is defined as “state”, except that in some specific cases, where the concepts of state authority and civil sovereignty are kept distinct.

Jacques Rousseau<sup>7</sup>, for example defined “civil” that part of the law dealing with both the rights and duties of individuals. Hobbes, instead, with the same adjective, means a context outside of the Catholic Church, and defines “civil service” as a phase where the rights are adequate to the concept of what is called “civil society”<sup>8</sup>.

John Rawls developed a thesis<sup>9</sup>, originally formulated by Kant, on the civil state in order to formulate a new theory related to social justice, which has been built in the same way of the social contract, starting from the original condition of human beings, also defined as “natural”. In this situation, human beings do not form a community and live their existence closer to natural world than the civilised one. They are not aware of the reciprocal relationships and the way they can get advantage from the public order. This awareness is not reached until they don’t develop a determinate stage of capacity and intel-

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<sup>7</sup>Jean Jacques Rousseau, *Social Contract and Discourses*, (New York: E. P. Dutton and Co., 1913).

<sup>8</sup>Andreas Osiander, *Before the State: Systemic Political Change in the West from the Greeks to the French Revolution*, (New York: Oxford University Press, 2007).

<sup>9</sup>John Rawls, *A Theory of Justice*, (Cambridge, Mass: Harvard University Press, 1971).

ligence. Rawls argues that people in this natural state need a society, allowing them to enjoy the essential freedoms and a form of economic security. Later, after the construction of the modern state, the opportunities are created, through the social contract, among different people, on the basis of the following principles: cooperation, equality, self-respect, respect for others and their property. These principles, in turn, constitute also the foundation of any modern society, which could be virtually accepted by all their components, if they wish to build it on the ground of a social contract.

However, an analysis of the related concepts of the political discourse that cannot be avoided, if we are to grasp the issue in its depth, must approach their nature or essence as eternal and immutable. These concepts, in fact, assume a complexity according to the historical, sociological and cultural frameworks in which they emerged for the first time. This is due to the nature of language.

A single word does not have a fixed and univocal meaning, but, just like concepts, interacts with other terms in the linguistic context of reference. It is equally necessary to underline that, in relation to the meaning of a concept, as expressed by a specific term, it is possible to assume two main perspectives, which philosophy classifies as nominalist and realist, respectively.<sup>10</sup> According to the latter, the definition of a term endowed with a fixed meaning identifying an entity, coincides with its real nature. Instead, according to the nominalist theory, the word and its definition are both mental constructions, ultimately related to the human experience within a given context. The connection between the name and its reference cannot be defined as a simple juxtaposition relation but rather as both an

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<sup>10</sup>Robert Flood-Ewart Carson, *Dealing with Complexity: an introduction to the Theory and Application of Systems Science*, Vol. 2, (New York, London: Springer 1993).

understanding and a perception of the surrounding world.

The concept, then, creating determined mental images, does not have necessarily clear and univocal bounds, but could vary in the limits of what is reasonable. These considerations do not belong exclusively to abstract philosophy, they could be also applied to concept of “state”, which has got a dynamic meaning instead of a univocal and fixed one. To say that the term has got a dynamic meaning means that it is subject to a historical process of development, and consequently, could vary according to different times and situations.

If, instead, we interpret the state or the political system as “fixed” and “immutable”, we prevent the researchers and scholars from starting a process of revision. However, it is not our intention to de-structuralise the concept of state supporting an anarchic point of view, but an effort will be made here to undertake a historically comprehensive analysis of the concept in order to create the conditions for its reformulation according to the *‘Maqāsid Al-Shari‘ah’*.

Everything that exists is in a stream of perpetual change: nothing is static or inevitably fixed.<sup>11</sup> This truth is applicable both to the nature and the moral life. Every being or meaning renew himself and evolve through the interaction with reality and the outside world.

These general principles could be equally applied to the nature of jurisprudential concepts regarding mainly Islamic policy. The *Fiqh*, or jurisprudence, is, in fact, formed by a set of norms and legal pronouncements resulting from the understanding of Quran and Sunna by a single scholar<sup>12</sup> or a school of thought. Consequently,

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<sup>11</sup>The Holy Quran 55:29: “To Him turn everyone in the heavens and on the earth for their needs; and everyday He manifests Himself in yet another way”.

<sup>12</sup>God the Most High cannot be called *Faqih*, since nothing is hidden from His knowledge, but the same word can be adequately

no branch of *Fiqh*, including the one dealing with principles and forms of governance, can be considered eternal and immutable. The cognitive and time-bound nature of Islamic jurisprudence is then an essential feature, which should be recalled in order to enlighten the diversity of approaches, points of view and opinions.

‘*Maqāsid Al-Sharī‘ah*’, its theological dimension and system of values, represent an essential part of the analysis of political concepts and of their meaning both inside and outside the limits of a reflection that is properly Islamic. The aims and purposes (‘*Maqāsid*) of *Sharī‘ah*’ concern the reasons and the scopes behind the legal pronouncement or *Fiqh* system.

*Sharī‘ah*’ proposes and teaches “eternal values” and “universal aims” which should be realised every time within a specific historical and cultural context endowed with well-defined features<sup>13</sup>. The work of the classical jurists, in fact, is not located in a vacuum, but it has, as a main aim, the purpose to answer, according to the “Islamic teachings”, the needs and the challenges of the people or ethnic groups adhering to Islam. The *Fātāwā* or legal pronouncements, belonging to a strictly juridical sphere, seem to be consequently, for the reasons previously explained, the expression of a specific context.

The principles, aims, and eternal values, which could be reassumed with the word *Sharī‘ah*’, are called to assume a leading role in the historical process. If, instead, they are transformed in the negation of every historical development, they are deprived of their main role and become the excuse to deny the reality of human history, which the Quran considers as one of the greatest signs of

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used in the case of human beings, who have a partial and limited knowledge.

<sup>13</sup>Jasser Auda, ‘*Maqāsid al-Sharī‘ah*’ as *Philosophy of Islamic Law, a Systems Approach* (Washington: IIIT, 2008).



God. In this perspective, the dialectics between temporality and eternity assumes an essential role, as it is expressed at the individual and social levels.

The Islamic law, in fact, could not be confined exclusively to the regulations formulated in a specific historical and cultural context; actually it involves several aims and principles can be applied beyond the trappings of specific spatial and time bound dimensions.

To avoid the examination of aims and purposes of the *Shari'ah*, means to close the door of understanding of the finality of the law, and consequently, the scholars are prevented from concentrating the attention on the “reasons why” in different contexts such as: religion, art, medicine, media and politics.

These reflections will promote and allow the understanding of ideas, in order to employ them to develop concepts’ analysis and the terminology related to “causal relationship”. This would enable actually the scholar to correct the shortcomings and weaknesses of the research in the context of Islamic political thought.

The different proposals at the jurisprudential level, constituting the foundation of a new political theory, should be rooted also in a new methodology. The methodological proposal, more interesting and innovative, is constituted, in the field of Islamic jurisprudence, by the swift from binary and unidimensional logic to a systemic and multidimensional approach <sup>14</sup> in order to open towards a holistic and teleological dimension, where the reciprocal relations between the system elements are analysed in their dynamism and multi-dimensionality. A multidimensional logic would constitute a valid help to overcome, in the sphere of Islamic jurisprudence, the binary approach, which reduces

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<sup>14</sup> Jasser Auda- Mohamed Kamel, “A Modular Neural Network for Vague Classification”, *Computer Science, Lecture notes in Artificial Intelligence* (2000).

the possibility of the existence of different perspectives and points of view, and consequently, ends up in restricting or even denying completely the root of political pluralism.

The discourse about logic is accompanied by another issue belonging to the philosophy of language related to the semantic context of reference of the words, according to which linguistic terms are not endowed and characterized by fixed and immutable meanings, but evolve and assume a complexity adequate to the historical contexts. In the classical times and later, the aims of the laws assumed a quite marginal role in the jurisprudential matters.

The Arabic language, in fact, was considered the main tool to understand and to interpret the sources of *Fiqh*, namely the Quran and the Sunna of the Prophet Muhammad. Actually, in the sphere of jurisprudence, both at the level of principles and exegesis, a deep knowledge of the Arabic language represents a necessary condition but could not be considered sufficient. Within the framework of a reflection dedicated to the Islamic political thought it is actually necessary to attribute a fundamental role to the aims and scopes of *Sharī'ah*, which lay behind linguistic issues, reserving a great attention to the values expressed by the Quran and the Sunna of the Prophet, and considering, at the same time, the social and cultural environment where they should be actually realised.

The consideration of both the purposes and aims of Islamic law will be fundamental also in the context of the reflection on the Islamic political thought. There is no univocal definition of a specific political concept. For example, in relation to the concept of “state”, it should be underlined that the meaning of the word changed in modern times, when it became part of the political lexicon of Arabic language. In many modern dictionaries, in fact, the concept of “state” is defined as follows: “a wider community of individuals, who grow and live in the western

culture, resides permanently in a given territory, enjoy legal personality and a system of government”.

The word “state” in Arabic is translated as “Dawla”, a term which compares in the following Quranic verse: “As for gains granted by Allah to His Messenger from the people of other lands, they are for Allah and the Messenger, his close relatives, orphans, the poor, and needy travellers so that wealth may not merely circulate among your rich. Whatever the Messenger gives you, take it. And whatever he forbids you from, leave it. And fear Allah. Surely Allah is severe in punishment” <sup>15</sup>.

The word then, in the forms respectively of “Dawla” and “Duwla”, means both an act of “gathering” or of “territorial conquest”. In the classical Arabic language, consequently, the term does not have a fixed and specific meaning which could be juxtapose to the contemporary use of the word.

The concept of “civil State” has been politicised in the context of the Arab Spring, while the debate has been focused on the nature of contemporary national state. In this regard, several definitions of civil state have been formulated, which sometimes are controversial and mutually incompatible. Some argue that the civil state coincides with the secular state, in which religion is totally separated from politics; while, according to others, it should be identified with the liberal state, which is focused on the rights and freedoms of citizens. Others interpret it as a state ruled by civilians as opposite to the military rule, or they, instead, identify it with the national state vis-à-vis the theocratic state ruled by religious leaders. According to others, the civil state is very close to the Islamic state of Medina at the time of the spreading of the message of Islam and the signing of the constitution of Yathrib.

However, despite the fact that it could not be identified

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<sup>15</sup>The Holy Quran 59:7.

with a fixed definition, both historical and philosophical, the concept of civil state, it may be argued, constitutes an excellent opportunity to try to reach some sort of agreement inside the community, which could be found in the form of a state ruled by so called “civil values”. These values can, in turn, assume religious, liberal, or socialist form, according to specific times and situations.

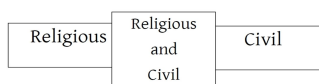
Consequently, the military, as any other institution, cannot be placed above others in the constitution, in the interest of justice and the principles ensuring freedom, rights and equality in front of the law for all the citizens, independently of the religious affiliation. The political ideologies, which have the right to intervene in the definition of “civil state”, become, instead, part of the definition of philosophies, movements and political parties which are identified with the secular, the liberal, or the Islamic approaches.

We should, it can be argued, concentrate on the notion of “contemporary national state”; since the form, which some think could be defined as Islamic state, simply does not exist in our contemporary times. The forces of political parties, which call themselves secular, generally stand for the separation between the church and the state, or the neutrality of the state towards religion and so on. Islamic state cannot, however, one may argue, be included inside the definition of state or in its constitution, but could remain as a political trend, which could take part in the process of governance without monopolising the nature of the civil state.

The same discourse can be applied to the liberal and socialist values as well. In other words, the call to apply some rulings of the *Shari‘ah*, having an effect on the life of all citizens, both Muslims and non-Muslims, before citizens accept it, cannot be included in the definition of state and of its constitution. Instead, it could be kept as a

political trend, contributing to the general politics of the so called “civil state”. If some thinkers refuse these considerations and insist that in the Islamic world and in the different contemporary national states, the application of some aspects of the *Sharī‘ah*’ is legitimate from the historical point of view, we may argue that this is possible only in instances where some sort of agreement or consensus is reached.

Notwithstanding the complexity of this issue, if we want to represent the finality of what is both religious and civil, we can use concentric circles, as in the following picture for the sake of simplicity.



1-The pure religious circle: this area includes the religious rites and elements related to a particular faith, which do not interfere in any way with the structure of the state and of the laws. Examples of these categories are the issues related to the faith and belief, and then, according to the terminology of political science, they are “private matters”.

2-The pure civil circle: this area includes the issues related to the organization of the state and its institutions, in which religion does not have any direct interference: structure of the state, the division of powers, the laws regulating the relations between individuals, the organisations and the communities, which re-enter -especially in the case of Islam- in the context of the issues related to

the daily life and to the non-legislative acts performed by the Prophet (peace be upon him) in his role as the leader.

3-Intersection between religious and civil: this is the area of intersection, where the aims of civil and religious sectors are overlapped. There are, in fact, some religious commandments related to the state, its institutions and the relations between citizens.

The main principles, in relation to these religious dispositions and injunctions, should be translated in the general laws and in the rules and regulations that citizens are called to obey. The intersection between the two areas, the civil and the religious one, raises, at this stage, some problems, since the translation of the religious regulations-in this case, the Islamic ones- in the legislation binding both for Muslims and non-Muslims-needs a detailed discussion.

For example, in the context of the family law, the majority of Arab people-Muslims, Christians, Sunnis, Shias, liberals, conservatives and so on- find problematic the idea of a "civil marriage", that is, the couple marrying without any religious legitimacy of the wedlock.

Then, within the family law and the institutions involved, the jurists should have a deep knowledge of the religious beliefs related to a specific faith. It is necessary, then, to refer to the religious pronouncements accepted by the majority of the people. The same should be said about the issues related to the law of inheritance, the maintenance, the paternity laws, etc. This area, then, implies that the law and the state's institutions should respect the peculiarities of a particular faith.

The area of the intersection between "civil" and "religious" should be subjected to the consensus of the community. The area, on which the community reaches the consensus, is considered functional to its interests, even when it is derived from the Islamic *Shari'ah*. For example, the penalty for first degree murder in the majority of

the Arab countries coincides with the one of premeditated murder according to the Islamic law. Even when it is an Islamic regulation, the community agrees on it and it applies to both for Muslims and non-Muslims. The same can be said about the commands related to the case of immorality or the consumption of intoxicants, which the community again community considers illegal, and that are also accepted as such in several Arab countries.

Besides, the constitutional article, according to which *Shari'ah* is considered a “source” and the “principal source of legislation”, constitutes another example of statute, on which all the community, or at least the majority, finds the consensus, without being at the same time discriminatory towards the rights non-Muslims; in other words, ensuring them their rights.

In relation to the above issues, innovative proposals related to the Islamic *Fiqh* should be able to achieve the consensus, without the laws becoming divisive or discriminatory. One way of doing it is to expand the scope of the system, in the light of the inner purpose of the *Shari'ah*, involving educational and cultural and civilisational aspects, thus going beyond the limited scope of criminal law and the laws related to dos and don'ts.

Islamic values, for example, could be materialised in the community through cultural and charitable institutions. This is the reason why, in fact, the Sunna of the Prophet teaches that the principal factor in this regard is represented by the behavior of the individual rather than the authority of the state.

Several books and researches have been written on what can be properly defined “Islamic in the context of policy, state, government, political parties and resolutions. The adjective “Islamic” appears in several spheres and aspects of our daily life. However, it must be stressed that the following question has been quite rarely asked: what

do we mean when we say that a product, an organisation or an activity can be labelled as “Islamic”?

Most of the time, the things that we could imagine as a part of an “Islamic state”, namely, images, names and designations, are in themselves very far from being “Islamic”, but assumes some features of the official Islam, according to the views of some religious groups, which, even though, are based on the sources themselves as proofs and a models to follow, may sometimes contradict with the same core of the Islamic message, when we go deeper into their nature, especially in the light of the inner principles of the *Sharī‘ah*.

The word “legitimacy” is often employed to promote and support opinions, according to which, to legitimise governments and their actions on the basis of the evidences cited from the Quran and the Sunna. It is, however, necessary to differentiate between what can be qualified as “Islam” and what has got a wider meaning than that of Fatwa and the difference between these two areas is similar to the one existing between the Islamic thought, concentrating the attention on ideas and institutions and the Islamic jurisprudence, which, instead, is interested in specific rules and regulations.

In the second stage, the discussion should be turned to what can be defined as “partial approach to the *Fatwa*”, that restricts its methodology to the context of resolutions of social and gender issues exclusively to the *Fiqh*, without being intellectually and contextually innovative. The *Fātāwā* relating to political issues can have multiple dimensions in an innovative way, addressing the political and socially dynamism, instead of being unifocal or limited in their scope.

In relation to the reference to Islamic history, some suggested to go back to the study of the featured events characterising it from the time of the Rightly Guided Cali-



phs to that one of decadence, in order to discover what decision-making system was actually endorsed at the policy level. However, there is a difference between the legal evidence, which points towards the legitimacy of the government, which has been previously introduced, and the historical proofs indicating the legitimacy of the judgments applied in a particular historical context. This, however, means that the legitimacy falls in the context of jurisprudence, since history itself seems to guarantee the necessary legitimacy. Consequently, some scholars have taken into consideration the determinate conditions and made them binding for the whole Muslim community, independently of the historical and social context in which they live.

The interest towards the historical proofs is related mainly to the issues of Islamic identity, which assumes a central role in the national policy. Islamic identity could be defined as the unicity of the Islamic community, which assumes some special characteristic features with respect to other nations as, for example, language, culture, religion, custom, traditions and values, which since a very long time acquired some nuances defined as “Islamic”.

The scholars agree that history is the most important factor constituting the identity of a nation. This certainly does not mean it to be bound to historically outdated forms in the social practices and in politics; they are there sources or foundations to be used for any further development.

An example of this Islamic nature, which constitutes part of a wider variety of the aspects of the life and identity of the nation of Islam, which always played a great role in the social context, is the system of *Waqf*. It has been recognized that the system of *Waqf* played a great role in the safeguarding of the Islamic values and institutions throughout the history of the *Umma* in several

areas: cultural, educational, health, sanitary and many other areas of public sector.

The reflection dedicated to the concept of “civil state” also raises two issues historically relevant in relation to the notions of Islamic identity and history. The Muslim identity, in the case of the different Islamic countries, is the outcome of a long and complex historical process, when the cultural and historical elements respectively, related and mingled with the strictly “religious” one. The examination of the notion of Islamic “identity” could not avoid, as its condition of possibility, from an analysis of the nature of the relation between culture and revelation, in general terms, and between Arab culture and Quranic revelation, specifically.

The process leading to a definition of “civil state” adequate to the Islamic context, must include a methodological analysis related to the foundation of the concept of “political legitimacy” within an Islamic framework. This research, we may safely assume, seems to proceed on two parallel binaries. This is the reason why, it is necessary to re-examine again the concept of the Sunna of the Prophet Muhammad, and then to focus the attention on the contemporary political systems, in order to determine if they could be considered compatible with the Islamic principles. This process should be accompanied necessarily to a historical analysis of the early years of the Caliphate and their vicissitudes with a particular attention reserved to the period after the rule of the *Rāshidūn*, when the Caliphate assumed a hereditary character according to the model of the absolute monarchies.

In the aftermath of the conquest of Mecca, different tribes became part of the Islamic community but, after the death of the Prophet, the issues related to the different factions, tribes and groups rose again. The message of Islam was spread out of the Arab peninsula through the

effort of the Companions and the community succeeded in maintaining itself as one nation under the leadership of Abū Bakr al-Siddīq and Umar Al-Khattāb. However, very soon issues related to the different nationalities and people who embraced Islam and became part of the “Umma”, have been raised, at the time of Uthmān ibn ‘Affān and Alī ibn Abī Tālib, while, with Mu‘āwiya ibn Abī Sufyān, the power became hereditary and the *Shūrā* was deprived of every authority, forcing it to play a nearly powerless formal role.

Later, the social injustice, rooted in the preference accorded to one ethnic group over the other, the trade-monopoly, the lack of consultation with other Muslims, who, despite the lack of efficiency and the tyrannical power, did not consider them sufficient reasons to challenge the power, which, in the end, spearheaded violence and tyranny even among the later generations. The Quranic teachings, however, visualised a superior civilisation and its main features, even from an historical point of view, marked the way of reformation, the development and the political pluralism.

Nevertheless, the historical writings and recordings focused mainly on the facts and incidents related to the dynasties and the conflicts, which left a very little space for the considerations related to history of civilization in the form of social, scientific, technical and cultural mobility. In other words, the attention, focused on famous characters and dynasties, overshadowed the internal movements of both societies and civilizations.

The history of the Arab countries is actually described exclusively in relation to conquests, riots and political disorder. Although Ibn Khaldūn’s *Muqaddimah* represents a qualitative development inside historiography, notwithstanding even his historiography reflects a model already present in Al-Tabari, Ibn Kathīr and others. Actually,

the general features of Islamic historiography have been widely overshadowed by the space dedicated to royal dynasties, without considering the economic, cultural or popular features of the different epochs.

In the context of the elaboration of proposals for the renewal of Islamic historiography and to support the idea of pluralism in a “civil State”, first of all, it is necessary to expand the research subjects related to the history of Islam in order to include also other parts of the worlds such as China, India, Eastern Europe, Africa and America. History should be understood and interpreted in a wider perspective involving the military, political, social, scientific, technical and environmental aspects, respectively. A special attention should be dedicated to some specific issues like the dialogue with the *Ahl al-Kitāb*, the gender questions, etc.

In the context of historiography and historical criticism, it is necessary to submit to a careful examination the biased and immaculate image of early and later Islamic history. And, at the same time, however, it is necessary to avoid the exaggerated statements and approaches that present the majority of Muslim political systems as bloodthirsty, tyrannical, ready to employ Islam as a tool to induce people to accept the tyranny fatalistically, after the age of the *Kulafā’ Al-Rāshidūn*.

On the other side, the apologetic approach related to the interpretation of the perfection of political system, especially the European model, reflected in the Islamic policy of the classical time, should be avoided. The Islamic political history, in such apologetic interpretation, is then approached searching all the features of these modern systems in it. This leads to an interpretation of political pluralism in the Islamic history, according to which Islam knew a political pluralism very close and similar to the contemporary democratic one.

The supporters of this point of view interpret the *Shūrā* system, arguing that Muslims invented the parliamentary system, or they read the biography of Umar ibn al-Khattāb, assuming that Muslims, at the historical time, were applying the democratic system of the electoral vote, or conducting the public affairs according to the American model of civil society. However, this tendency, which tries to develop these western concepts and systems on the ground of an Islamic point of view, ends up, at the same time, in justifying and legitimising some features of Islamic history, which could be unhelpful in terms of creating a proper understanding of the Islamic political history.

From the other side, the post-modernist tendency shows the propensity to deconstruct completely Islamic history, which is consequently interpreted as a set of occurrences characterized mainly by the marginalization of more vulnerable people without any trace of positive elements. This tendency, however, places in danger the same Islamic identity and this is the reason why it cannot be considered acceptable.

We may safely argue that we should build a historical framework in which those aspects of Islamic history worthy of praise, especially if they brought humanity as a whole to its vantage, are highlighted. This process, however, should not distract us from the recognition of those aspects that are quite problematic in the Islamic political history; and they should be also subjected to an honest criticism. This recognition, at the same time, also should lead to the reflection and the correction of the mistakes committed in the past, but it cannot constitute the reason for the repudiation of the Islamic history as a whole.

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